

The Village of Northfield

REGULAR COUNCIL MEETING Agenda – April 25, 2018

Pledge of Allegiance

Call to Order; Roll Call; Approval of Minutes

Presentation of Petitions, Memorials and Remonstrances

Reports of Municipal Officers:

Jesse J. Nehez, Mayor
Tricia Ingrassia, Finance Director
Richard Wasosky, Engineer
Brad Bryan, Law Director

Department Heads:

John Zolgus, Police Chief
Jason Buss, Fire Chief
Jason Walters, Service/Building Superintendent

Reports of Municipal Boards and Commissions:

Alan Hipps, Planning Commission
Mayor Nehez, Recreation Board

Reports of Standing Committees:

Nicholas Magistrelli, Finance
Jennifer Domzalski, Roads and Public Works
Keith Czerr, Health and Welfare
Gary Vojtush, Wages and Working Conditions
Renell Noack, Fire and Safety
Alan Hipps, Buildings and Grounds

Legislation:

2018-29 – An Emergency Ordinance Amending Section 1280.08 of the Zoning Code Relating to Sign Enforcement (Third Reading)

2018-30 – An Emergency Ordinance Establishing Section 1268.11 of the Planning and Zoning Code Relating to Car or Truck Rental Establishments (Third Reading)

2018-32 – An Emergency Resolution Authorizing the Mayor to Enter into a New Collective Bargaining Agreement with the OPBA Relating to the Sergeants and Full and Part Time Patrol Officers (First Reading)

2018-33 – An Emergency Resolution Authorizing the Mayor to Enter into an Agreement with Aspire Financial Services, LLC to Permit Employee Deferred Compensation Withholdings (First Reading)

2018-34 – An Emergency Ordinance Amending Section 1610.99 of the Village's Fire Prevention Code Relating to Civil Penalties for Violations of the Ohio Fire Code (First Reading)

Old Business; New Business; Announcements; Adjournment

VILLAGE OF NORTHFIELD RESOLUTION NO. 2018-32
AN EMERGENCY RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A
NEW COLLECTIVE BARGAINING AGREEMENT WITH THE OPBA RELATING TO
THE SERGEANTS AND FULL AND PART TIME PATROL OFFICERS

WHEREAS, a fact finding hearing relating to the new collective bargaining agreement between the OPBA and Village for the Police Sergeants and Full and Part-Time Police Patrol Officers was held on April 13, 2018; and

WHEREAS, a new, proposed three year collective bargaining agreement resulted from that hearing; and

WHEREAS, pursuant to Section 4117.14 of the Ohio Revised Code and Section 4117-9-05 of the Ohio Administrative Code, the Union and Village Council are required to approve or reject the agreement; and

WHEREAS, Council desires to approve the agreement and authorize the Mayor to enter into the agreement.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Northfield, County of Summit, and State of Ohio:

SECTION 1. That Council hereby and herein approves the new collective bargaining agreement with the OPBA for the Sergeants and Full and Part-Time Patrol Officers for the 2018-2020 calendar years that is attached to this Resolution.

SECTION 2. That all formal actions of this Council concerning and relating to the deliberation and adoption of this Resolution were taken in an open meeting of this Council or any of its committees and/or were in compliance with all legal requirements.

SECTION 3. That this Resolution is hereby declared to be an emergency measure necessary for the public peace, health, and welfare of the residents, for the reason that the Village is required to follow the State collective bargaining requirements with respect to the Police Department pursuant to the Village's Charter, and this Resolution shall take immediate effect upon its signature by the Mayor, or upon the expiration of time within which it may be disapproved by the Mayor, or upon its passage after its disapproval by the Mayor, as the case may be, pursuant to Village of Northfield Charter Section 4.11.

IN WITNESS WHEREOF, we have hereunto set our hands this _____ day of _____, 2018.

Nicholas Magistrelli, Pres. Pro-Tem of Council

Jesse J. Nehez, Mayor

Approved as to Legal Form.

Bradric T. Bryan, Director of Law

I, Tricia Ingrassia, Clerk of Council of the Village of Northfield, Summit County, Ohio, do hereby certify that the foregoing Resolution was duly and regularly passed by Council at a meeting held on the _____ day of _____, 2018.

Tricia Ingrassia, Clerk of Council

VILLAGE OF NORTHFIELD RESOLUTION NO. 2018-33
AN EMERGENCY RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN
AGREEMENT WITH ASPIRE FINANCIAL SERVICES, LLC TO PERMIT EMPLOYEE
DEFERRED COMPENSATION WITHHOLDINGS

WHEREAS, certain Village employees have requested the Village to add Aspire Financial Services, LLC ("Aspire") to the list of authorized companies for voluntary employee deferred compensation withholding; and

WHEREAS, the Mayor and Council want to designate Aspire as an authorized company for voluntary employee deferred compensation withholding and authorize the Mayor to execute the attached Recordkeeping Service Agreement with Aspire.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Northfield, County of Summit, and State of Ohio:

SECTION 1. That Council hereby authorizes the Mayor to enter into a Recordkeeping Service Agreement with Aspire to permit voluntary employee deferred compensation withholdings through Aspire that is substantially similar to the one attached hereto.

SECTION 2. That all formal actions of this Council and any actions of its committees that resulted in those formal actions concerning and relating to the passage of this Resolution were taken in meetings open to the public and/or in compliance with law.

SECTION 3. That this Resolution is hereby declared to be an emergency measure necessary for the public peace, health, and welfare of the residents of the Village of Northfield for the reason that the Village desires to permit its employees to avail themselves of this employee requested deferred compensation option as soon as possible, and this Resolution shall take immediate effect upon its signature by the Mayor, or upon the expiration of time within which it may be disapproved by the Mayor, or upon its passage after its disapproval by the Mayor, as the case may be, pursuant to Village of Northfield Charter Section 4.11.

IN WITNESS WHEREOF, we have hereunto set our hands this _____ day of _____, 2018.

Nicholas Magistrelli, President Pro-Tem of Council

Jesse J. Nehez, Mayor

Approved as to Legal Form.

Bradric T. Bryan, Director of Law

I, Tricia Ingrassia, Clerk of Council of the Village of Northfield, Summit County, Ohio, do hereby certify that the foregoing Resolution was duly and regularly passed by Council at a meeting held on the _____ day of _____, 2018.

Tricia Ingrassia, Clerk of Council

VILLAGE OF NORTHFIELD ORDINANCE NO. 2018-34

**AN EMERGENCY ORDINANCE AMENDING SECTION 1610.99 OF THE VILLAGE'S
FIRE PREVENTION CODE RELATING TO CIVIL PENALTIES FOR VIOLATIONS OF
THE OHIO FIRE CODE**

WHEREAS, upon recommendation of the Fire Chief, the Mayor and Council wish to amend Section 1610.99 of the Village's Fire Prevention Code relating to civil penalties for violations of the Ohio Fire Code.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Northfield, County of Summit, and State of Ohio:

SECTION 1. That the Council of the Village of Northfield hereby amends Section 1610.99 of the Fire Prevention Code as indicated in the attachment hereto.

SECTION 2. That the rest and remainder of the Codified Ordinances shall remain as presently drafted unless inconsistent herewith.

SECTION 3. That all formal actions of this Council concerning and relating to the deliberation and adoption of this Ordinance were taken in an open meeting of this Council or any of its legal committees and/or were in compliance with all legal requirements.

SECTION 4. That this Ordinance is hereby declared to be an emergency measure necessary for the public peace, health, and welfare of the residents of the Village of Northfield for the reason that it assists in clarifying issues associated with enforcement of the Ohio Fire Code in the Village, and this Ordinance shall take immediate effect upon its signature by the Mayor, or upon the expiration of time within which it may be disapproved by the Mayor, or upon its passage after its disapproval by the Mayor, as the case may be, pursuant to Village of Northfield Charter Section 4.11.

IN WITNESS WHEREOF, we have hereunto set our hands this _____ day
of _____, 2018.

Nicholas Magistrelli, Pres. Pro-Tem of Council

Jesse J. Nehez, Mayor

Approved as to Legal Form.

Bradric T. Bryan, Director of Law

I, Tricia Ingrassia, Clerk of Council of the Village of Northfield, Summit County, Ohio, do hereby certify that the foregoing Ordinance was duly and regularly passed by Council at a meeting held on the _____ day of _____, 2018.

Tricia Ingrassia, Clerk of Council

1610.99 PENALTY.

(a) Criminal Penalties.

(1) Except as a violation of Ohio R.C. 2923.17 involves subject matter covered by the Ohio Fire Code, and except as such a violation is covered by Ohio R.C. 3737.99(G), whoever violates Section 3737.51(A) of the Ohio Revised Code, or Section 1610.035 or Section 1610.05(a) of this Chapter, is guilty of a misdemeanor of the first degree.

(2) Whoever violates Section 1610.05(b) or 1610.06 is guilty of a minor misdemeanor.

(3) Whoever violates Section 1610.07 or 1610.09 is guilty of a misdemeanor of the fourth degree.

(4) Whoever violates Section 1610.08 or 1610.10 is guilty of a misdemeanor of the third degree.

(b) Civil Penalties.

(1) Any person who has received a citation for a serious violation of the Ohio Fire Code or any order issued pursuant to it shall be assessed a civil penalty of not more than one thousand dollars (\$1,000) for each such violation.

(2) Any person who has received a citation for a serious violation of the Ohio Fire Code or any order issued pursuant to it, and such violation is specifically determined not to be of a serious nature, may be assessed a civil penalty of not more than one thousand dollars (\$1,000) for each such violation of not more than the following amounts. Violations determined not to be serious violations or cited as less than serious violations shall be assessed a civil penalty of not more than five hundred dollars (\$500) for major violations, not more than two hundred fifty dollars (\$250) for moderate violations, and not more than one hundred fifty dollars (\$150) for minor violations.

(3) Any person who fails to correct a violation for which a citation has been issued within the period permitted for its correction, may be assessed a civil penalty of not more than one thousand dollars (\$1,000) for each day during which such failure or violation continues.

(4) Any person who violates any of the posting requirements prescribed by Ohio R.C. 3737.42(C), or a substantially similar municipal ordinance, shall be assessed a civil penalty of not more than one thousand dollars (\$1,000) for each such violation.

(5) Due consideration to the appropriateness of the penalty with respect to the gravity of the violation, the good faith of the person being charged, and the history of previous violations shall be given whenever a penalty is assessed under this chapter.

(6) For purposes of this section, a serious violation shall be considered to exist if there is a substantial probability that an occurrence causing death or serious physical harm to persons could result from a condition which exists, or from one or more practices, means, methods, operations or processes which

have been adopted or are in use, unless the person did not and could not, with the exercise of reasonable diligence, know of the presence of the violation.

(7) Civil penalties imposed under this chapter shall be paid to the ~~Clerk of Council~~ Village of Northfield Director of Finance for deposit into the General Fund. Such penalties may be recovered in a civil action in the name of the Municipality brought in the Court of Common Pleas.